**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH**

S.B. CIVIL WRIT PETITION NO.2266/01

Shiv Charan Yadav **Versus** State & Ors.

DATE OF ORDER :: 15/05/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Subhash Jain, for petitioner
Mr. Arun Sharma, Dy.G.A.

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Instant petition has been filed by Shri Shiv Charan Yadav, Ex-Sarpanch questioning the mining lease which has been granted in Village Parana, District Bundi.

His main grievance is that mining lease holders are violating the terms of lease sanctioned in their favour and despite representations made, the department has also not taken care of the same.

A detail reply has been filed by respondents in which it has been specifically averred that petitioner is also one of the mining lease holders and not even petitioner his family members are also having mining lease, of which reference has been made in Para 6 of reply. It has also been averred that no complaint has ever been received by the mining department from a villager of Village Parana, District Bundi and according to respondents, precautions have been taken by the department and instructions are

being complied with from time to time. It appears that writ petition has been filed with an oblique motive and not for the basic cause which he has raised in the instant petition.

In view of specific averment made in Para 6 of reply, this court is of the opinion that the writ petition is without any substance and hence, dismissed.

[AJAY RASTOGI],J.

FRBOHRA,JR.P.A.